IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO.356 OF 2006

Sudarshan @ Babu Motilal Gupta : Petitioner

V/s.

The State of Maharashtra : Respondent

...

Mr.Arfan Sait (appointed) for the petitioner.

Mrs.S.D.Shinde, Addl. Public Prosecutor for the State.

...

**CORAM : D.G.DESHPANDE & S.A.BOBDE,JJ.**

DATE : AUGUST 3, 2006.

**P.C**.

1. This is a petition for furlough. The petitioner-accused has been convicted for five years only. He has applied for furlough which was rejected. There is threat to the witnesses. The incident in which he has been convicted has taken place in the area of N.M.Joshi Marg police station. This is for the first time that he has applied for furlough.

2. Considering the circumstances, the petitioner-accused be released on furlough on usual terms and conditions. The petitioner should not enter the area of N.M.Joshi Marg during the period of furlough. He should give the address

where he will be residing during furlough to the authorities before he is released on furlough. During the period of furlough, he should attend the concerned police station on every alternate day. He shall not approach the witnesses for any reason whatsoever.

3. The petition stands disposed of.

4. Office to communicate this order to the prison authorities.

D.G. DESHPANDE, J.

S.A. BOBDE, J.